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10 FRIENDS OF YOSEMITE VALLEY and
11 MARIPOSANS FOR THE ENVIRONMENT
AND RESPONSIBLE GOVERNMENT

12 IN THE UNITED STATES DISTRICT COURT

13 FOR THE EASTERN DISTRICT OF CALIFORNIA

15 FRIENDS OF YOSEMITE VALLEY, a non-
16 profit corporation; and Mariposans for the
Environment and Responsible Government
17 (“MERG”), a non-profit corporation,

18 Plaintiffs,

19 v.

20 GALE NORTON, *et al.*,

21 Defendants.
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) Case No. 00-6191 AWI DLB

) DECLARATION OF BRIDGET MCGINNISS
) KERR IN SUPPORT OF
) PLAINTIFFS’ REPLY MEMORANDUM ON
) REQUEST FOR RELIEF

) DATE: 10/16/06
) TIME: 1:30 p.m
) COURTROOM: 3

1 I Bridget McGinniss Kerr, do declare:

2 1. I have lived in El Portal, California (the Administrative Site for Yosemite
3 National Park) for 19 years.
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5 2. I am a member of Friends of Yosemite Valley (FoYV) and have reviewed the
6 Defendant's Memorandum In Opposition to Plaintiffs' Motion for Relief, and the Declarations of
7 Superintendent Tollefson and Bob Hansen.
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9 3. I have worked in Yosemite National Park as a naturalist, hiking guide, and park
10 volunteer research assistant. Currently I work as a self-employed writer/editor and I volunteer
11 monthly for the National Park Service collecting water samples. I recreate daily (hike, swim,
12 climb, ski, and raft) within the Merced River corridor. I appreciate living along the banks of a
13 Wild and Scenic river, and I take the responsibility we all have to protect this special and unique
14 place very seriously. Over the years I have hiked and biked on the Valley Loop Trail countless
15 times. While the Valley Loop Trail may be a travel link within Yosemite Valley, various
16 portions of this trail differ greatly in character and in authorized uses, depending upon location;
17 and it should not be overlooked that there is more than one historic trail alignment on the Valley
18 floor. In the busy eastern portion of Yosemite Valley much of it is currently designed for multi-
19 use; in the quieter less-traveled western portion of Yosemite Valley, bicycle use is not authorized
20 as these are designated hiking and bridal paths. Unlike the eastern portion, the western portion is
21 not paved, though like most historic hiking trails in Yosemite Valley, it contains remnant
22 amounts of hand-laid asphalt from the 1920s.
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24 4. Within Yosemite Valley it is generally understood that the "east Valley" refers to
25 areas of Yosemite Valley from approximately Yosemite Lodge/Swinging Bridge eastward, and
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1 the “west Valley” is all areas west of Yosemite Lodge/Swinging Bridge including Pohono
2 Bridge. The east end of Yosemite Valley has the greatest density of park visitors, and here
3 portions of the Valley Loop Trail are consistently maintained by the park as a paved multi-use
4 trail. This stretch of the trail, also known as the Bike Path, is relatively level, and wide enough
5 for a painted yellow line designating two lanes which can accommodate two-way pedestrian and
6 bicycle travel. At the west end of Yosemite Valley (with the exception an area immediately
7 adjacent to the base of Bridalveil Fall), the Valley Loop Trail is a narrow hiking and bridal trail
8 meandering through quiet forest, meadow, wetlands, and up through scenic talus slopes. And
9 while there are a few places in the west Valley at Valley Loop Trail intersections where a hiker
10 may be faced with trail signs and choices of the best trail alignment to follow to a given
11 destination, I have always found this portion of the trail easy to follow. Contrary to
12 Superintendent Tollefson’s statement (Tollefson dec.17:8-9), there is no place where the trail
13 “suddenly disappears”—regardless of the lack of asphalt or narrowness of trail.
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18 5. On Wednesday September 27, 2006 I hiked and photographed the Valley Loop
19 Trail so as to depict these different conditions. True and correct copies of these photographs are
20 attached as Exhibit A. The photo at the top of the page was taken of the hiking trail portion of
21 the Valley Loop Trail in the west Valley, just east of the south side of the turnout at the
22 Bridalveil Fall/El Capitan view along Southside Drive. This is where the trail begins to climb
23 through the forest and up the talus slope and along the base of Cathedral Rocks. The photo at the
24 bottom of the page was taken of the bike path in the eastern portion of Yosemite Valley, at the
25 north side of Southside Drive, at a location often referred to as “Chapel Straight.” This is a good
26 example of the clearly paved multi-use trail that comprises portions of the Valley Loop Trail in
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